

LS-8358

Approved For Release 2001/08/27 : CIA-RDP59-00882R000300340041-4

26 April 1954

OGC Has Reviewed

MEMORANDUM FOR: Acting Deputy Director (Administration)

SUBJECT: Furnishing of Agency Transportation to Perform
Details at Outlying Installations

1. You have requested our opinion regarding the legality of the proposal set forth in the Inspector General's memorandum of 5 April 1954 to the effect that the Agency either furnish transportation for employees temporarily detailed from "L" Building to the [REDACTED] Plant or else reimburse them for any increased transportation costs involved. The memorandum indicates that the nature of the assignment is such that the employees concerned will spend one month out of three at the [REDACTED] location. In addition we have been advised by RI/FI/DDP that the assignment will permit them to proceed directly to the temporary duty location without first reporting to "L" Building.

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25X1A6a

2. While it is well settled that an employee must bear the cost of transportation from his residence to his place of duty (11 Comp. Gen. 417; 19 id 342; and 23 id 836), this rule is not for application to a situation where an employee is detailed to a place of duty other than his official duty station with the result that increased costs on account of travel are incurred. In such a circumstance, not only may the employee be reimbursed for the excess, but, in addition, when authorized to proceed directly to the temporary duty location from his residence, reimbursement in full may be made, without deduction for the cost normally incurred in reporting to the official duty station (32 Comp. Gen. 235). Conversely, when the temporary duty location vis a vis the permanent duty location is such that the travel involves no additional expense, reimbursement in any amount is not proper.

3. To the extent that it is considered permissible to use Government funds to reimburse employees as indicated above, we perceive no legal objection to using Government vehicles for that purpose. However, because of the disproportionate expense that such a use would entail, we believe that the determination could be challenged as an abuse of administrative discretion. Further, we note that the use of Government vehicles for special assignments and out-of-town trips is restricted to instances where the use of public transportation is not feasible (R 45-1530 2c).

4. The papers are returned.

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OGC/RJB:afb

Office of General Counsel

Attachment
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1 - legal
1 - signer
1 - vital

~~CONFIDENTIAL~~